

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

V.

1. JESS SICILIANO,
2. MICHAEL ARCO and
3. GEORGE KANDIRAKIS

Defendants.

CRIMINAL NO. 04-10312-WB-Y

) 21 U.S.C. § 846 -

1) Conspiracy to Distribute and to Possess with
2) Intent to Distribute Oxycodone

) 21 U.S.C. § 841(a)(1) and 18 U.S.C. §2 -

) Possession With Intent To Distribute and
) Distribution of Oxycodone

) 21 U.S.C. § 853 -

) Criminal Forfeiture

INDICTMENT

COUNT ONE: (21 U.S.C. § 846 – Conspiracy to Distribute Oxycodone)

The Grand Jury charges that:

From a time unknown to the Grand Jury, but at least by in or about August 2002 and continuing thereafter until in or about November 2004, at Boston and elsewhere in the District of Massachusetts and elsewhere,

1. JESS SICILIANO,
2. MICHAEL ARCO, and
3. GEORGE KANDIRAKIS

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the Grand Jury to possess with intent to distribute and

to distribute oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further charges that:

1. As to the offense charged in this indictment and relevant conduct as described in USSG §1B1.3, JESS SICILIANO is accountable for a quantity of oxycodone which is equivalent to at least 700 kilograms but not more than 1,000 kilograms of marijuana. Accordingly, USSG §2D1.1(c)(5) applies to this defendant.

2. As to the offense charged in this indictment and relevant conduct as described in USSG §1B1.3, MICHAEL ARCO is accountable for a quantity of oxycodone which is equivalent to at least 700 kilograms but not more than 1,000 kilograms of marijuana. Accordingly, USSG §2D1.1(c)(5) applies to this defendant.

3. As to the offense charged in this indictment and relevant conduct as described in USSG §1B1.3, Defendant GEORGE KANDIRAKIS is accountable for a quantity of oxycodone, which is equivalent to at least 100 kilograms but not more than 400 kilograms of marijuana. Accordingly, USSG §2D1.1(c)(7) applies to this defendant.

4. As to the offense charged in this indictment and relevant conduct as described in USSG §1B1.3, Defendant JESS SICILIANO was an organizer, leader, manager and supervisor in a criminal activity that involved at least five participants and was otherwise extensive. Accordingly, USSG §3B1.1(a) and (b) apply to this Defendant.

5. As to the offenses charged in this indictment and relevant conduct as described in USSG §1B1.3, Defendant MICHAEL ARCO was a manager and supervisor in a criminal activity that involved at least five participants and was otherwise extensive. Accordingly, USSG §3B1.1(a) and (b) apply to this Defendant.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offense alleged in this Indictment,

**JESS SICILIANO,
MICHAEL ARCO, and
GEORGE KANDIRAKIS**

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants –

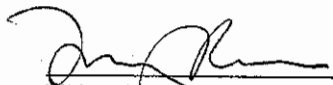
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

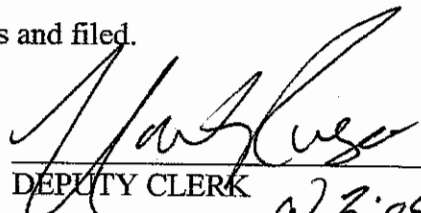
A TRUE BILL


FOREPERSON OF THE GRAND JURY


NANCY RUE
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; Dec. 15, 2004.

Returned into the District Court by the Grand Jurors and filed.


DEPUTY CLERK
at 3:05 PM
12/15/04

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Massachusetts Category No. II Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant 04 MJ
Magistrate Judge Case Number 04-0199-527-528: 530-RBC
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Michael Arco Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1976 SSN (last 4 #): 2396 Sex m Race: w Nationality: USA

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Nancy Rue Bar Number if applicable _____

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: ☒ Yes ☐ No

☐ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☒ On Pretrial Release: Ordered by MJ Fox on 12/3/04

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 12/15/04 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Michael Arco

U.S.C. Citations

| | <u>Index Key/Code</u> | <u>Description of Offense Charged</u> | <u>Count Numbers</u> |
|--------|----------------------------|---|----------------------|
| Set 1 | <u>841(a)(1) & 846</u> | <u>conspiracy to distribute oxycodone</u> | _____ |
| Set 2 | _____ | _____ | _____ |
| Set 3 | _____ | _____ | _____ |
| Set 4 | _____ | _____ | _____ |
| Set 5 | _____ | _____ | _____ |
| Set 6 | _____ | _____ | _____ |
| Set 7 | _____ | _____ | _____ |
| Set 8 | _____ | _____ | _____ |
| Set 9 | _____ | _____ | _____ |
| Set 10 | _____ | _____ | _____ |
| Set 11 | _____ | _____ | _____ |
| Set 12 | _____ | _____ | _____ |
| Set 13 | _____ | _____ | _____ |
| Set 14 | _____ | _____ | _____ |
| Set 15 | _____ | _____ | _____ |

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Massachusetts Category No. II Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant 2004 WJ
Magistrate Judge Case Number 04-0499-527-528-530-RBC
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Jess Siciliano Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1976 SSN (last 4 #): 2587 Sex m Race: w Nationality: USA

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Nancy Rue Bar Number if applicable _____

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: ☒ Yes ☐ No

☐ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 12/15/04 Signature of AUSA: [Signature]

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jess Siciliano

U.S.C. Citations

| | <u>Index Key/Code</u> | <u>Description of Offense Charged</u> | <u>Count Numbers</u> |
|--------|----------------------------|---|----------------------|
| Set 1 | <u>841(a)(1) & 846</u> | <u>conspiracy to distribute oxycodone</u> | _____ |
| Set 2 | _____ | _____ | _____ |
| Set 3 | _____ | _____ | _____ |
| Set 4 | _____ | _____ | _____ |
| Set 5 | _____ | _____ | _____ |
| Set 6 | _____ | _____ | _____ |
| Set 7 | _____ | _____ | _____ |
| Set 8 | _____ | _____ | _____ |
| Set 9 | _____ | _____ | _____ |
| Set 10 | _____ | _____ | _____ |
| Set 11 | _____ | _____ | _____ |
| Set 12 | _____ | _____ | _____ |
| Set 13 | _____ | _____ | _____ |
| Set 14 | _____ | _____ | _____ |
| Set 15 | _____ | _____ | _____ |

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Massachusetts Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant ☒ _____
Magistrate Judge Case Number 04-0499-527-528-530-RBC
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name George Kandirakis Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1980 SSN (last 4 #): 6423 Sex m Race: w Nationality: USA

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Nancy Rue Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 12/15/04 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant George Kandirakis

U.S.C. Citations

| | <u>Index Key/Code</u> | <u>Description of Offense Charged</u> | <u>Count Numbers</u> |
|--------|----------------------------|---|----------------------|
| Set 1 | <u>841(a)(1) & 846</u> | <u>conspiracy to distribute oxycodone</u> | <u>1</u> |
| Set 2 | _____ | _____ | _____ |
| Set 3 | _____ | _____ | _____ |
| Set 4 | _____ | _____ | _____ |
| Set 5 | _____ | _____ | _____ |
| Set 6 | _____ | _____ | _____ |
| Set 7 | _____ | _____ | _____ |
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| Set 11 | _____ | _____ | _____ |
| Set 12 | _____ | _____ | _____ |
| Set 13 | _____ | _____ | _____ |
| Set 14 | _____ | _____ | _____ |
| Set 15 | _____ | _____ | _____ |

ADDITIONAL INFORMATION: